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Chairman/ED Report for APRIL 27, 1995

CLOSED SESSION: The Commission will start with a closed session so Rick Frank can advise the Commission on the status of the two lawsuits (one in state court and one in federal court) which Bio Gro has filed regarding Utilities and Infrastructure Policy P-3.

NOTE: Commissioners have received a memo directly from Rick regarding the status of the lawsuits filed regarding P-3. Extra copies of Rick's letter will be available at the meeting.

REGULAR MEETING:

1. Call to Order/ Pledge of Allegiance/Roll Call.

PAT: Call on Margit to take roll.

2. Public Comments.

PAT: Read this: I have decided to move the public comment segment of the Commission meeting to the start of the meeting. I will keep Commissioner comments at the end of the meeting. Please limit your comments to three minutes or less and remember that the Commission cannot debate or act on any item which is not on the agenda.

3. Adoption of Minutes of March 23, 1995.

PAT: Call for a MOTION and a SECOND.

NOTE: Please state the maker and seconder's names aloud, then call for a VOICE VOTE.

4. Chairman's Report.

PAT:

Next Meeting: The Commission's next meeting is scheduled for Thursday, May 25, 1995. I will not be able to be at that meeting and Vice Chair Fargo will not be available so I have asked Commissioner McGowan to Chair that meeting.

Upcoming Delta Event:

On April 29, there will be a river bank clean-up in Sacramento and West Sacramento sponsored by the Chambers of Commerce.

On May 6, at Brannan Island State Park, a kite festival beginning @ 9:00am.

On May 6 & 7, at Tower Park Marina, \$100,000 Bass Derby.

(1)

Update on Delta Fund: The Delta Fund is now up to \$2,955.20 for Fiscal Year 94-95. To date, the fund has received the following fines:

Contra Costa County:	\$77
Sacramento County:	\$2,694
San Joaquin County:	0
Solano County:	0
Yolo County:	\$147

Resolution for Tom: At your seats you have received a proposed resolution thanking Tom Torlakson for his contribution as the Commission's first Chair. We need a MOTION and a SECOND. (Please state names aloud) Then VOICE VOTE.

GIFT. Give Tom the gift at this time, with the resolution which you have signed.

5. Attorney General's Report.

PAT: Call on Rick Frank.

6. Executive Director's Report.

PAT: Call on Margit.

MARGIT:

In the Mailing Packet:

1. New Roster; already a change: new State Lands Commission phone number.
2. Letter re P-3.

Ducks Unlimited Brochures. DU has prepared and mailed three "how to" guides on the topics of Enhancing Agricultural Fields for Waterfowl, Rice Straw Decomposition, and Development of Seasonal Waterbird Habitat on Rice Fields, and Management of Spring and Summer Brood Water Wetlands in the Central Valley. These are part of DU's on-going program to assist landowners.

Meetings I have Attended on Behalf of the Commission:

Met with California Waterfowl Association to discuss their continuing programs in the Delta region. I am hoping they will come soon and brief the Commission.

San Joaquin County Habitat Conservation Planning meetings have been continuing; data has been collected; the committees are currently addressing development of a two-year interim program for consideration by the local governments. A series of local workshops have been scheduled on June 19, 21 and 22 in Lodi, Stockton and Lathrop, for those that are interested.

I attended an open house at Brannan Island State Park Visitor Center--they have a new Bay-Delta display board.

I chaired the most recent meeting of the San Francisco Estuary Project Delta Subcommittee here in Walnut Grove. The topic was project development and funding development.

On April 21, Earth Day, the Stone Lakes Wildlife Refuge was formally dedicated.

Budget:

First Assembly hearing on April 4. At that time, a lobbyist for Bio Gro asked that the Commission's budget be pulled from the consent calendar to allow him to comment. The item was postponed to April 25.

On April 25, the Commission's budget was once again on the consent calendar and was passed by the Assembly Subcommittee. The Commission's budget is scheduled for review by a Senate subcommittee in early May.

Status of the Plan:

Reprinting: Chairman McCarty has provided assistance in the layout of the Plan itself and obtained some wonderful photographs from local photographer Rich Turner to use on the cover.

DWR has offered to assist with the design of the cover.

I have met with representatives of Rio Vista and Stockton regarding their lands in the primary zone.

I set and held a meeting with the County planners from Sacramento and San Joaquin Counties to discuss how the Counties will meet their responsibilities under the Act.

Status of the Contracts with Teale and CEDR:

I have been receiving assistance in the contract process from the Department of Conservation staff. Hopefully, both contracts will be finalized in the next week or so.

Computer/GIS Training:

Along those line, I have been made aware of two upcoming programs. First, May 15-19 in the Sacramento Convention Center, a conference called "Connecting Government for the Future". Second, at Columbia College in the foothills, a GIS Training, Conference and Exhibition on June 5-7.

Reminder re Expenses:

If you file for reimbursement of expenses, remember we need to receive them well before the end of the fiscal year which is June 30. If you have questions or need a form, call me.

7. Draft Grant Criteria for Ducks Unlimited/Delta Protection Commission Grants.

PAT: Turn over to Margit.

MARGIT: In January, the Commission agreed to participate with Ducks Unlimited in giving grants to private landowners for habitat enhancement. At that time, I stated that the criteria for giving those grants would come back to the Commission for review. In your packets you received a list of criteria and a copy of the type of agreement that grant recipients would have to sign. Mike Bias of Ducks Unlimited is here tonight if there are questions about these draft criteria.

PAT: Open to questions and comments from Commission. Allow for public comment from the floor, if any.

At end of discussion, get MOTION and SECOND to accept the criteria. Please say out loud the names of the mover and seconder. VOICE VOTE.

8. Briefing on Best Management Practices to Control Mosquito Habitat on Agricultural Lands.

PAT: Turn over to Margit.

MARGIT: Last fall and winter, Ducks Unlimited, San Joaquin County Vector Control District and the Contra Costa County Vector Control District participated in a study of several sites with the intent of evaluating common practices and how they affect mosquito production and the production of other insects that are food for waterfowl and other birds. The

study focused on flooding of agricultural lands after harvest.

NOTE: I asked Mike Bias of Ducks Unlimited and Terry Strange of San Joaquin Mosquito and Vector Control District to brief the Commission of what the study found and what research is proposed for next fall and winter.

PAT: Let Mike Bias and Terry Strange speak. Ask for Commission questions and comments. Ask if any questions or comments from the public.

NO ACTION.

9. Briefing on Seasonal Waterfowl in the Delta in the 1994-1995 Migratory Season.

PAT: Turn over to Margit.

MARGIT: Since Mike Bias was on tonight's agenda, I asked him to speak briefly to the Commission about the number and type of migratory waterfowl in the Delta this last year.

PAT: Let Mike Bias speak. Ask for Commission questions and comments. Ask if any questions or comments from the public.

NO ACTION.

10. Briefing and Possible Action to Address Estimated Water Levels in Delta Waterways.

PAT: You may want to start by stating you asked staff to agendize this issue for Commission discussion. You have identified your concern about the stability of levees under the hydrostatic pressure from elevated waters.

PAT: Turn over to Margit.

MARGIT: You have before you a staff report which describes the State's above normal precipitation, describes the various stages of waterways, the actual water elevations at key locations in the Delta, and an update on the water levels at the time the staff report was prepared. As described in the staff report, the State has received a great deal of rainfall and snowfall. We are now witnessing the careful balancing act of trying to retain as much water as possible behind dams for future list while protecting downstream area from flooding.

The last section outlines some steps the Commission can pursue in terms of public education and public safety. Delta landowners have no control over the release of upstream waters or the rate or time of snowmelt; no control over the elevation of water in the Delta channels. The only aspect of Delta waters that can be addressed would be the creation of wakes by commercial and recreational vessels in the Delta waterways. One way to address these wakes would be to request slowest possible speeds; slower speeds result in smaller wakes. The staff report outlines three ways the Commission could pursue to request slower speeds in Delta waterways during the predicted period of high water, which is through June.

PAT: Open to Commission questions and comments. Ask for public comments from the floor.

PAT: If agreement on action; need MOTION and SECOND (please say names of Mover and Seconder) and VOICE VOTE."

11. Pending Projects Memo.

PAT: State this is a report for Commission information only. Ask for questions, comments or corrections.

NO ACTION.

12. 1994-1995 Legislative Update.

PAT: Turn over to Margit.

MARGIT: This memo was prepared by Colleen McMahon of your staff. She reviewed bills submitted by the Legislature, identified those bills which relate to the elements in the Delta Plan; and summarized those bills. Any questions or comments?

NO ACTION.

13. Update on Category III Projects. (Staff report to be handed out at meeting.)

PAT: Turn over to Margit.

MARGIT: Commissioner Potter asked that the staff obtain and distribute information about the Category III, aka non-flow, implementation of the December 15 State-Federal agreement. This information is for Commission information. At this time, the Commission has not submitted any proposals to be funded through this program. There is an committee collecting and analyzing these proposals this year, the first of three years required in the agreement. Additional funds may be made available beyond the \$10 million per year. The first few pages outline the "measures" used to evaluate

the approximately 500 "projects" submitted for funding.

Next, there is a map of the location of the selected projects followed by blurry description of the projects. As you can see, there are only two projects actually in the Primary Zone: restoration of Prospect Island (1,200 acres recently acquired by Bureau of Reclamation) and Little Mandeville Restoration Project-the small island that flooded last summer and was to be a mitigation site for past adverse impacts associated with the SB 34 levee maintenance program.

NO ACTION.

14. Creation of New Subcommittees.

PAT: First I would like to thank all the Commissioners that have served on Committees during the first two years. I would like to ask those Commissioners that have served, and those that have not, to comment on the need for committees. Committees are not mandated, yet they provide a forum for more focused discussion by Commissioners.

There are currently four Subcommittees:

Budget and Finance:

McCarty, Chair
Calone
Salmon
Sekelsky
Torlakson

Administration and Operations:

McGowan, Chair
Fargo
Ferreira
Yates

Levees:

Torlakson, Chair
Broddrick
McCarty
Potter

Legislative:

Torlakson, Chair
Curry
(Toby Johnson)

New Recreation Users Study Oversight:

Nottoli, Chair
Murphy
Curry

plus a DWR staffer, a DFG staffer and public members.

PAT: This is agendized as an ACTION item; if the Commission chooses to take action, need a MOTION, then SECOND (Please state names aloud). Then call for a VOICE VOTE. If not action is needed, just announce that there will be not action at this time on this agenda item.

15. Commissioner Comments.

PAT: Ask if any Commissioner has an announcement or comment.

16. Adjourn.

PAT: State "the meeting is adjourned".